CWP No. 1447/2007

12.9.2007: Present: Mr. Dushyant Dadhwal, Advocate for the petitioner.

Mr. Shrawan Dogra, Advocate for the respondents.

With the consent of the learned counsel for the parties, this petition is taken up for final disposal without formally admitting it for hearing.

After hearing the learned counsel for the parties and on going through the contents of the writ petition as well as documents accompanying thereto, including the order dated 30th August, 2007 passed by the learned H.P. State Administrative Tribunal in O.A. No.2187 of 2007 by which status quo was ordered to be maintained, we feel that in the facts and circumstances of this case, the Tribunal in the impugned order dated 6th September, 2007 ought to have clearly indicated whether the status quo order passed on 30th August, 2007 was to be extended or not. Not doing so has caused prejudice to the petitioner. We also feel that in the facts and circumstances of the case the status quo order passed on 30th September, 2007 actually ought to have been extended.

We accordingly set aside the impugned order dated 6th September, 2007 in so far as it does not indicate the extension or otherwise of the status quo granted on 30th August, 2007. At the same time we also direct, being fully satisfied and convinced, that the petitioner shall continue to remain posted at the place he was transferred vide office order No.209 HPSEB(SECTT)2007 dated 25th June, 2007 (Annexure P-2) until the disposal of the OA by the

Tribunal. Since the issue involved is not very complicated, we direct that OA shall be disposed of very very expeditiously.

The writ petition is disposed of.

CMP No.2362/2007

Infructuous.

(V.K. Gupta), C.J.

(Rajiv Sharma), J.

September 12, 2007
Awasthi